THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.17684 OF 2005

Dated 5th October 2005

Between:

K.N.Rao S/o.Kistaiah & another

…Petitioners

And

The Managing Director & Vice Chairman,

APSRTC, Musheerabad, Hyderabad & others

…Respondents

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O R D E R:

The petitioners were employed as drivers in the APSRTC. They were retired on 12.3.2004 and 16.10.2004, respectively, on medical grounds. They were extended the retirement benefits. Petitioners contend that the Corporation issued a notification, dated 8.10.2003, providing certain benefits to the drivers, who are disqualified on medical grounds, and complain that the same has not been extended to them. This writ petition is filed, with a prayer to direct the respondents, to extend the said benefit.

Heard the learned counsel for the petitioners and learned Standing Counsel

for the respondents.

The petitioners placed reliance upon paragraph 6A (5) of APSRTC Employees (Service) Regulations, 1964, as amended through notification, dated 8.10.2003. Under the said provision, a driver, who is retired on medical grounds, is entitled to be extended the benefit of ex-gratia, equivalent to one and half month emoluments, for each completed year of service, or monthly emoluments at the time of retirement on medical grounds, multiplied by the balance months of service left before the normal date of retirement, whichever is less. Certain correspondence ensued between various authorities of the Corporation, as regards the implementation of this. In case, the amendment has assumed finality and becomes enforceable, there is no reason why the petitioners be not entitled to the same. The petitioners have not yet made any representation, in this regard.

Having regard to the facts and circumstances of the case, the writ petition is disposed of, leaving it open to the petitioners to make a representation, claiming the benefit under the provisions referred to above, and the respondents, in turn, shall pass appropriate orders thereon, within a period of three months, from the date of receipt of such representation. There shall be no order as to costs.

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5th October 2005

Note: Issue C.C. in one week.

(B/o)

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